



09-15-01

3626

PATENT  
Attorney Docket No.: GEH-01-062

41

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: McMullen et al.  
Serial No.: 09/658,370  
Filed: September 8, 2000  
For: TOTAL TRANSPORTATION  
MANAGEMENT SYSTEM

Group No.: 3626  
Examiner: Kalinowski, Alexander

Mail Stop: AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RECEIVED  
SEP 17 2004  
GROUP 3600

## TRANSMITTAL

- Transmitted herewith is:
  - Amendment Transmittal (3 pgs., *in duplicate*)
  - Response to Requirement for Information Under 37 CFR § 1.105 dated June 14, 2004 (2 pgs.)
  - Return post card

## STATUS

- Applicant
  - ☐ claims small entity status.
  - ☒ is other than a small entity.

CERTIFICATE OF MAILING BY EXPRESS MAIL TO  
THE COMMISSIONER FOR PATENTS

Express Mail No. EV 458033860 US  
Date: September 14, 2004

I hereby certify that the documents listed above are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above in an envelope addressed to: Mail Stop: AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
William J. Zychlewicz, Reg. No. 51,366

## EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply.

(complete (a) or (b), as applicable)

- (a) ☐ Applicant petitions for an extension of time under 37 C.F.R. 1.136  
(Fees: 37 C.F.R. 1.17(a)-(d) for the total number of months checked below:)

Extension for response within:	Other than small entity Fee	Small entity Fee (if applicable)
<input type="checkbox"/> first month	\$ 110.00	\$ 55.00
<input type="checkbox"/> second month	\$ 420.00	\$ 210.00
<input type="checkbox"/> third month	\$ 950.00	\$ 475.00
<input type="checkbox"/> fourth month	\$1,480.00	\$ 740.00
<input type="checkbox"/> fifth month	\$2,010.00	\$1,005.00

Fee Due                     \$                    

If an additional extension of time is required, please consider this a petition therefor.

(Check and complete the next item, if applicable)

- ☐ An extension of \_\_\_\_\_ months has already been secured. The fee paid therefor \$\_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ \_\_\_\_\_.

OR

- (b) ☒ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

## FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col. 1) CLAIMS REMAINING AFTER AMENDMENT		(Col. 2) HIGHEST NO. PREVIOUSLY PAID FOR	(Col. 3) PRESENT EXTRA	SMALL ENTITY ADDITIONAL RATE FEE	OR	OTHER THAN SMALL ENTITY ADDITIONAL RATE FEE
TOTAL		MINUS		=	x \$9 = \$		x \$18 = \$
INDEP.		MINUS		=	x \$43 = \$		x \$86 = \$
—	FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+ \$145 = \$		+ \$290 = \$

TOTAL ADDITIONAL FEE \$	OR	TOTAL ADDITIONAL FEE \$
----------------------------	----	----------------------------

- (a) ☒ No additional fee for Claims is required

**OR**

- (b) ☐ Total additional fee for claims required \$

**FEE PAYMENT**

5. Attached is a check in the sum of \$\_\_\_\_\_
- ☐ Charge Deposit Account No. 01-2384 the sum of \$\_\_\_\_\_.  
A duplicate of this transmittal is attached.

**FEE DEFICIENCY**

6. ☒ If any additional extension and/or fee is required, charge Deposit Account No. 01-2384.

**AND/OR**

- ☒ If any additional fee for claims is required, charge Deposit Account No. 01-2384.
7. ☐ Other:



William J. Zychlewicz  
Reg. No. 51,366  
ARMSTRONG TEASDALE LLP  
One Metropolitan Square, Suite 2600  
St. Louis, MO 63102  
314-621-5070



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: McMullen et al.

Serial No.: 09/658,370

Filed: September 8, 2000

For: TOTAL TRANSPORTATION  
MANAGEMENT SYSTEM

:  
: Art Unit: 3626  
:  
: Examiner: Kalinowski, Alexander  
:  
:  
:

**RESPONSE TO REQUIREMENT FOR INFORMATION UNDER 37 CFR § 1.105**

Mail Stop: AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RECEIVED**

SEP 17 2004

Sir:

**GROUP 3600**

In response to the requirement for information under 37 CFR § 1.105 dated June 14, 2004, Applicants respectfully submit that Applicants have made a good faith attempt to obtain the requested information by conducting a reasonable inquiry into whether the requested information was readily available to Applicants. After making this good faith attempt to obtain the requested information, Applicants submit that the information related to each of the three published documents requested is unknown and/or is not readily available to Applicants.

Specifically, with respect to the first published document (1/15/1998) titled "GE Harris Railway Electronics Wins Dispatch System for East Coast Railroad", Applicants have attached a copy hereto, however Applicants have been unable to locate any known publications, brochures, manuals, or press releases describing the system or systems included in this document.

With respect to, the second published document (1999 Annual Report), "Harris Corporation Annual Report — Joint Ventures", Applicants have attached a copy hereto, however Applicants have been unable to locate any known publications, brochures, manuals, or press releases describing the system or systems included in this document.

With respect to the third published document (not dated but no later than 8/2000) that allegedly discloses an integrated product using EP braking system and Train Talk communications control system, this document is unknown and/or is not readily available to Applicants, and Applicants have been unable to locate any known publications, brochures, manuals, or press releases describing the system or systems included in this document.

Respectfully Submitted,



William J. Zychlewicz  
Registration No. 51,366  
ARMSTRONG TEASDALE LLP  
One Metropolitan Square, Suite 2600  
St. Louis, Missouri 63102-2740  
314-621-5070